

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**THE BICHARD FARM FAMILY
LIMITED PARTNERSHIP,**

Defendant.

Case No. 2:07-cv-1261

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE MARK R. ABEL

ORDER

This matter is before the Court on the parties' Agreed Motion for Administrative Stay of Proceedings. (Document 39.)

The parties have reached an agreement regarding the removal of the structures which allegedly encroach upon the government's flowage easement rights. The parties agree that such removal shall be completed no later than November 11, 2011, and that a representative from the Army Corp of Engineers shall inspect the property no later than November 18, 2011. If the Army Corp of Engineers determines that no encroachments and/or obstructions remain upon Plaintiff's flowage easements, the parties have agreed that Plaintiff shall at that time make an entry of dismissal of this action with the Court. If the Army Corp of Engineers determines that encroachments and/or obstructions remain, the parties have agreed that the administrative stay will be lifted and judgment will be entered in Plaintiff's favor.

The parties' Motion (Document 39) is hereby **GRANTED**. The Clerk is **DIRECTED** to administratively close this case until such time as the parties move to reinstitute proceedings.

IT IS SO ORDERED.

12-21-2011

DATED



**EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE**